



Control Number: 48785



Item Number: 114

Addendum StartPage: 0

**SOAH CONSOLIDATED DOCKET NO. 473-19-1265**  
**PUC CONSOLIDATED DOCKET NO. 48785**

2019 JAN 24 PM 3:48

<b>JOINT APPLICATION OF ONCOR ELECTRIC DELIVERY COMPANY LLC, AEP TEXAS INC., AND LCRA TRANSMISSION SERVICES CORPORATION TO AMEND THEIR CERTIFICATES OF CONVENIENCE AND NECESSITY FOR 345-KV TRANSMISSION LINES IN PECOS, REEVES, AND WARD COUNTIES, TEXAS (SAND LAKE TO SOLTICE AND BAKERSFIELD TO SOLSTICE)</b>	§ § § § § § § § § §	<b>BEFORE THE STATE OFFICE</b> <small>FILED FOR THE FILING CLERK</small>     <b>OF</b>     <b>ADMINISTRATIVE HEARINGS</b>
--	--	--

**SOAH ORDER NO. 4**  
**PROPOSING TO REMOVE INACTIVE PARTIES FROM THIS DOCKET**  
**AND APPROVING SUPPLEMENTAL NOTICE**

**I. REMOVING INACTIVE PARTIES FROM THIS DOCKET**

As stated in State Office of Administrative Hearings (SOAH) Order Nos. 1 and 2, for a party to remain a party in this docket, the party must either file direct testimony or a statement of position when those pleadings were due. In accordance with SOAH Order No. 2, the due date for both intervenor direct testimony and/or a statement of position was January 10, 2019.

As of January 10, 2019, the following intervenors did not file either direct testimony or a statement of position:

Cross V Ranch, L.P.  
Elizabeth Christine Graybill  
Mary Graybill-Rees  
Domingo A. Perez  
MMEX Resources Corporation (Jack W. Hanks)  
Esther Dudley  
Kevin Wilson  
Brockett & McNeel Ltd LLP D/B/A Brockett & McNeel LLP

16 Texas Administrative Code (TAC) § 22.124(a) requires that each party that has not prefiled direct testimony must file a statement of position. That section also provides that, in accordance with 16 TAC § 22.161(b)(3), the presiding officer may sanction a party that fails to comply with an order and the requirement that a statement of position must be filed. 16 TAC § 22.161(c) and (d) indicate the types of sanctions that may be imposed, including disallowing a party's right to participate in the proceeding.

The ALJs propose to invoke Sections 22.124(a) and 22.161(c) and (d) to remove the intervenors listed above as parties to this proceeding. This action is being done to update the service list and to ensure that only active parties continue to participate in this docket. Any written comments on whether such sanctions should not be imposed, and any requests for a hearing on that issue, shall be filed no later than **February 1, 2019**. Parties that support this action do not need to file written comments. A hearing on whether to impose such sanctions will be held on **Friday, February 15, 2018, at the commencement of the hearing on the merits in this docket**, at the State Office of Administrative Hearings, 300 West 15th Street, 4th Floor, Austin, Texas. The hearing on the proposed sanctions is automatically canceled, without further order, if no party files a request for such a hearing on or before February 1, 2019.


## II. APPROVING SUPPLEMENTAL NOTICE

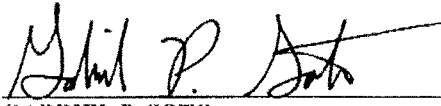
On January 14, 2019, Oncor and AEP Texas filed a Notice Regarding Supplemental Notice Affidavit and Request for Approval, and a Supplemental Affidavit Attesting to the Provision of Notice. These two pleadings pertain to the Sand Lake-to-Solstice Project within this matter. Oncor and AEP Texas request that the supplemental notice provided to affected landowners be found sufficient and grant any good cause exception deemed necessary.

Similarly, on January 15, 2019, LCRA TSC filed its Second Supplemental Affidavit of Notice confirming the information and steps taken by LCRA TSC to ensure that the affected landowners received notice of its application in this consolidated docket. LCRA TSC's pleading pertains to the Bakersfield-to-Solstice Project within this matter.

No party filed an objection to either sets of supplemental notice affidavits. The ALJs, therefore, find the affidavits to be sufficient and **APPROVE** the supplemental notice provided by Oncor, AEP Texas, and LCRA TSC.

**SIGNED January 24, 2019.**

  
\_\_\_\_\_  
STEVEN H. NEINAST  
ADMINISTRATIVE LAW JUDGE  
STATE OFFICE OF ADMINISTRATIVE HEARINGS

  
\_\_\_\_\_  
GABRIEL P. SOTO  
ADMINISTRATIVE LAW JUDGE  
STATE OFFICE OF ADMINISTRATIVE HEARINGS